

Historic, Archive Document

Do not assume content reflects current scientific knowledge, policies, or practices.

United States Department of Agriculture

FOOD AND DRUG ADMINISTRATION

NOTICES OF JUDGMENT UNDER THE CAUSTIC POISON ACT

[Given pursuant to section 9 of the Caustic Poison Act]

87-88

[Approved by the Acting Secretary of Agriculture, Washington, D. C., February 11, 1939]

87. Misbranding of Ritz Beer Coil Cleaning Compound. U. S. v. 144 Cans of Ritz Beer Coil Cleaning Compound. Default decree of condemnation and destruction. (C. P. A. No. 98. Sample No. 41958-D.)

This product was a dangerous caustic or corrosive substance in packages suitable for household use, but was not labeled in compliance with the law prescribing the labeling of such products.

On November 12, 1938, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 144 cans of Ritz Beer Coil Cleaning Compound at Allentown, Pa.; alleging that the article had been shipped in interstate commerce on or about March 26, 1938, by the Ritz Chemical Co. of New Jersey, from Newark, N. J.; and charging misbranding in violation of the Federal Caustic Poison Act.

The libel alleged that the article contained sodium hydroxide in a concentration of 10 percent or more and was a dangerous caustic or corrosive substance in packages suitable for household use; and that it was misbranded in that the label on the packages did not bear the word "poison" as required by said act of Congress in that the letters were of a size differing from that required; in that the label did not bear a statement giving the common name of the dangerous caustic or corrosive substance contained in the article, namely, sodium hydroxide; the label did not bear directions for treatment in case of accidental personal injury, since the directions were inadequate, and the label did not bear the name and place of business of the manufacturer, packer, seller, or distributor.

The libel alleged that the article was also misbranded in violation of the Insecticide Act of 1910, reported in notice of judgment No. 1654 published under that act.

On January 3, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

88. Misbranding of cresol and aqua ammonia. U. S. v. Crystal Soap & Chemical Co., Inc. Plea of guilty. Fine, \$25. (C. P. A. No. 96. Sample Nos. 62825-C, 1376-D.)

These products were dangerous caustic or corrosive substances in packages suitable for household use and were not labeled in compliance with the law prescribing the labeling of such products.

On September 28, 1938, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Crystal Soap & Chemical Co., Inc., having a place of business at Philadelphia, Pa., alleging shipment by said company in violation of the Federal Caustic Poison Act on or about September 3, 1937, from the State of Pennsylvania into the State of Missouri of a quantity of aqua ammonia, and on or about December 7, 1937, from the State of Pennsylvania into the State of Maryland of a quantity of cresol, which products were misbranded.

The information alleged that the cresol contained carbolic acid in a concentration of 5 percent or more and was a dangerous caustic or corrosive substance in packages suitable for household use; and was misbranded in that the pack-

ages did not bear conspicuous and easily legible labels or stickers containing the common name of the caustic or corrosive substance, namely, carbolic acid, in that the label did not bear the word "poison," and in that it did not bear and have printed thereon directions for treatment in case of accidental personal injury.

The information alleged that the aqua ammonia contained ammonia water in a concentration of 5 percent or more and was a dangerous caustic or corrosive substance in packages suitable for household use; and was misbranded in that the label did not bear the word "poison" as required by law since the letters of the said word were of a size and style differing from that required by said act of Congress, and in that the label did not bear and have printed thereon adequate directions for treatment in case of accidental personal injury.

On December 7, 1938, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$25.

HARRY L. BROWN, *Acting Secretary of Agriculture.*